



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

JUL 30 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6123 9392

Mr. Mario Morgan
Assistant Controller
Paxton and Vierling Steel Company
501 Avenue H
Carter Lake, Iowa 51510

RE: Paxton and Vierling Steel Company
Carter Lake, Iowa
EPA RCRA ID No.: IAD984590505

Dear Mr. Morgan:

Request for Information

On October 30-31, 2014, representatives of the U.S. Environmental Protection Agency (EPA) inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA).

My staff has reviewed the inspection report. To date, the EPA has not received a response from you regarding the preliminary findings that were outlined in the inspection report that was sent to you on January 12, 2015. The EPA has determined that violations of RCRA were documented. We are requesting additional information regarding your facility's compliance status. Enclosed is a list of violations, a list of questions and/or requested information, and instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.



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Within thirty (30) calendar days of receiving this letter, please mail your response to: Berla Y. Johnson, Environmental Scientist, AWMD/WEMM, U.S. Environmental Protection Agency, 11201 Renner Blvd., Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Ms. Johnson, of my staff, at 913-551-7720 or jackson-johnson.berla@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Toensing', with a stylized flourish at the end.

Donald Toensing,
Chief
Waste Enforcement and Materials Management
Branch
Air and Waste Management Division

Enclosures

cc: Cal Lunberg, Chief, Contaminated Sites Section
Iowa Department of Natural Resources

List of Violations
Paxton and Vierling Steel Company
501 Avenue H
Carter Lake, Iowa
RCRA ID No.: IAD984590505

1. 40 CFR 262.11 – Failure to make hazardous waste determinations on the follow material:
 - Seven spent 100 watt metal halide lamps stored in a shelving unit located in the maintenance area.
 - 10 Fluorescent lamps.
2. 40 CFR 279.22 – Failure to label containers with the words, “Used Oil”.
 - Two, unlabeled, 5-gallon, partially filled containers (approximately one-third and one-half full) of used oil that had been placed beneath the de-coiling machine.
3. Failure to comply with generator requirements.
 - 40 CFR 262.34(a)(2) – Failure to close hazardous waste container.
 - 40 CFR 262.34(a)(1)(ii) – Failure to inspect the HW storage area weekly.
 - 40 CFR 262.34(d)(4) – Failure to make arrangements with local emergency agencies.
 - 40 CFR 262.34(d)(5)(i) – Failure to designate an emergency coordinator.
 - 40 CFR 262.34(d)(5)(ii) – Failure to post the following information next to the telephone (i.e., the name and telephone number of the emergency coordinator, location of fire extinguishers and spill control material, and if present fire alarm; and the telephone of the fire department, unless the facility has a direct alarm).
 - 40 CFR 262.34(d)(5)(iii) – Failure to ensure that employees are thoroughly familiar with proper waste handling and emergency procedures relevant to their responsibilities.

List of Requested Information
Paxton and Vierling Steel Company
501 Avenue H
Carter Lake, Iowa
RCRA ID No.: IAD984590505

1. Provide all documentation and/or information of how Paxton & Vierling performed hazardous waste determinations on the seven spent 1000 watt metal halide lamps, and the 10 fluorescent lamps, that were stored in a shelving unit located in the maintenance area. Provide information describing the conclusions of these hazardous waste determinations and provide information of how these materials were disposed of.
2. Provide a detailed explanation of how Paton & Vierling is currently inspecting its hazardous waste storage area.
3. Provide a copy of your current contingency plan that addresses the following:
 - The arrangements made with local emergency agencies.
 - Name and address of designated emergency coordinator.
 - The name and telephone number of the emergency coordinator; location of fire extinguishers and spill control material, and if present fire alarm; and the telephone number of the fire department, unless the facility has a direct alarm.
4. Provide a copy of the posted information next to telephone, that includes the name and telephone number of the emergency coordinator; location of fire extinguishers and spill control material, and if present fire alarm; and the telephone number of the fire department, unless the facility has a direct alarm.
5. Provide documentation that staff has been properly trained in waste handling and emergency procedures for the work they perform.

3007 RESPONSE INSTRUCTIONS

- * Identify the Person(s) responding to this request on your behalf.
- * Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- * For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- * For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- * For each numbered item, identify all persons consulted in the preparation of the answer.
- * For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- * If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- * If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- * If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- * You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential."
- * The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- * A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- * Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at www.epa.gov/epahome/cfr40.htm.
- * This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.

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501 Avenue H
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